Of 100/-

(1)

BEFORE THE HIGH COURT OF CHHATTISGARH

AT BILASPUR (C.G.)

W.P.No. 3835 **OF 2004**

Petitioner : Mahendra Kumar Sahu, S/o. Late Shri Roopcharan Sahu, aged about 41 years, Assistant teacher ~~of~~ Govt. Middle School, Temri, (Nawagarh), Resident of Village Chicholi, Post Office-Temri, Police Station House, Nandghat, Tah. Nawagarh, Distt. Durg (C.G.).

P.R. No. 3838/04
Presented by Shri Sayeed Ali
dated 12.10.04

Versus

Respondents

1. State of Chhattisgarh, Through Principal Secretary, School Education, Mantralaya, Raipur (C.G.).

2. Distt. Education Officer, Bemetara (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTIUTION OF INDIA

XI-HC—78

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3835/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	25-11-2004 Shri Ashok Verma, counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Vinod Shrivastava, Govt. Advocate for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Government Middle School, Temri, Nawagarh to Government Primary School, Tendubhata, Saja vide order dated 31-7-2004 (Annexure-P/1) and the petitioner's name shown at S.No.13 in the aforesaid transfer order. He also submits that out of 210 students only two teachers are working in Government Middle School, Temri, Nawagarh including the present petitioner. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3835/04 **सन्** 200

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own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.4244/2004 also stands disposed of.

Sd/-
Acting Chief Justice

Gowri

GLPRJ—FS/78 —9/2000 —50,000.